IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 11097 of 2007(U)

PETITIONER:

PARENT & TEACHERS ASSOCIATION,
KYLP SCHOOL, THURUTHUMMEL, ALUVA,
REPRESENTED BY ITS PRESIDENT.

BY ADV. SRI.B.JAYASANKAR
SRI.MANU GOVIND

RESPONDENTS:

1. THE DISTRICT COLLECTOR, ERNAKULAM.

2. VILLAGE OFFICER, CHENGAMANAD,
DESOM P.O.

3. K.RAJEEV, S/O.KRISHNA PILLAI,
KATTUKUZHIYIL HOUSE, THURUTHU, ALUVA.

G.P. SHRI.V.I.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.11097 of 2007

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Dated this the 2nd day of April, 2007

J U D G M E N T

The petitioner is the Parent & Teachers Association of KYLP School, Thuruthummel, Aluva. There has been a long standing dispute between a temple nearby and the school on the question of construction of a compound wall which has been the subject matter of a writ petition which ended in Ext.P2 judgment, in which I directed the District Collector to finalise the proceedings pending before him expeditiously. Now pursuant thereto, the District Collector has passed Ext.P4 order as per which, he directed that a compound wall shall be constructed in accordance with the sketch attached to Ext.P4. This is under challenge in this writ petition at the instance of the petitioner. Admittedly the school is a Government school and the school is established in the Government

property. In Ext.P4 all what the District Collector has directed is to set apart some portion of the property of the school as a pathway and to construct a compound wall accordingly. I do not think that the Parent-Teachers Association is entitled to challenge the said order since the District Collector had to take into account many factors such as communal harmony, protection of the children of the school etc. On a reading of Ext.P4, I am satisfied that the District Collector has taken this decision after considering all the factors involved. In the above circumstances, I do not find any merit in the writ petition and accordingly, the same is dismissed.

sdk+ S.SIRI JAGAN, JUDGE